

EXHIBIT 13

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|---|---|
| <p style="text-align: right;">Page 1</p> <p>1 UNITED STATES BANKRUPTCY COURT 2 DISTRICT OF NEW JERSEY 3 4 In Re: Chapter 11) 5) Case No. 21-30589 6 LTL MANAGEMENT, LLC,) (MBK) 7) 8 Debtor.) 9 10 11 12 13 VIDEO RECORDED EXAMINATION OF 14 JAMES MURDICA 15 16 17 18 19 20 21 22 23 24 25</p> <p style="text-align: center;">TAKEN ON SUNDAY, APRIL 16, 2023</p> <p>CERTIFIED STENOGRAPHER: JESSIE WAACK, RDR, CRR, CCRR, NYRCR, NYACR, CCR-NJ (No. 30XI008238700) CSR-TX (No. 11958) CCR-WA (No. 21007264), CSR-CA (No. 14420), REALTIME SYSTEMS ADMINISTRATOR JOB NO.: 893549</p> | <p style="text-align: right;">Page 3</p> <p>1 A P P E A R A N C E S 2 3 FOR OFFICIAL COMMITTEE OF TALC CLAIMANTS I: 4 BROWN RUDNICK LLP 5 BY: MICHAEL WINOGRAD, ESQ. 6 BY: JENNIFER SCHEIN, ESQ. 7 BY: DAVID J. MOLTON, ESQ. (Remote) 8 BY: JEFF JONAS, ESQ. (Remote) 9 BY: ERIC R. GOODMAN, ESQ. (Remote) 10 7 Times Square 11 New York, New York 10036 12 PHONE: 212-209-4917 13 EMAIL: Mwinograd@brownrudnick.com 14 15 ON BEHALF OF THE DEBTOR LTL AND WITNESS: 16 SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP 17 BY: ALLISON M. BROWN, ESQ. 18 One Manhattan West 19 New York, New York 10001-8602 20 PHONE: 212-735-3222 21 EMAIL: Allison.brown@skadden.com 22 23 24 25</p> |
| <p style="text-align: right;">Page 2</p> <p>1 2 3 VIDEO RECORDED EXAMINATION of 4 JAMES MURDICA, taken before JESSICA R. WAACK, 5 Registered Professional Reporter, Registered 6 Merit Reporter, Certified Realtime Reporter, 7 Registered Diplomat Reporter, California 8 Certified Realtime Reporter, New Jersey 9 Certified Court Reporter (License No. 10 30XI008238700); Texas Certified Shorthand 11 Reporter (License No. 11958); Washington 12 State Certified Court Reporter (License No. 13 21007264); California Certified Shorthand 14 Reporter (License No. 14420); New York 15 Association Certified Reporter, New York 16 Realtime Court Reporter and Notary Public of 17 Washington, D.C. and the States of New York, 18 Pennsylvania, Delaware, Maryland and 19 Virginia, at Skadden, Arps, Slate, Meagher & 20 Flom, LLP, One Manhattan West, New York, New 21 York, on Sunday, April 16, 2023, commencing 22 at 1:26 p.m. and concluding at 6:32 p.m. 23 24 25</p> | <p style="text-align: right;">Page 4</p> <p>1 A P P E A R A N C E S 2 3 REMOTELY ON BEHALF OF JOHNSON & JOHNSON: 4 WHITE & CASE LLP 5 BY: JOSHUA WEEDMAN, ESQ. 6 BY: KRISTIN SCHULTZ, ESQ. 7 BY: MATT LINDER, ESQ. 8 BY: GREG STARNER, ESQ. (In person) 9 1221 Avenue of the Americas 10 New York, New York 10020-1095 11 PHONE: 212-819-8963 12 EMAIL: Jweedman@whitecase.com 13 14 ON BEHALF OF VARIOUS TALC CLAIMANTS: 15 LEVY KONIGSBERG 16 BY: MOSHE MAIMAN, ESQ. 17 BY: JERRY BLOCK, ESQ. (Remote) 18 605 3rd Avenue, 33rd Floor 19 New York, New York 10158 20 PHONE: 800-315-3806 21 22 23 24 25</p> |

Page 5

1 A P P E A R A N C E S

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Page 6

1 A P P E A R A N C E S

2

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Page 7

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Page 9

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4 CLAIMANTS:

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Page 12

1 A P P E A R A N C E S

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8 Webster Groves, Missouri 63119

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12 TALK CLAIMANTS:

13 LAW OFFICES OF MITCHELL J. MALZBERG

14 BY: MITCHELL J. MALZBERG, ESQ.

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24 New York, New York 10003

25 PHONE: 212-558-5500.

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|---------|---------------------------------------|---------|--|
| 1 | A P P E A R A N C E S | 1 | INDEX TO EXAMINATION |
| 2 | | 2 | WITNESS: JAMES MURDICA |
| 3 | REMOTELY FOR THE DEBTOR: | 3 | |
| 4 | JONES DAY | 4 | EXAMINATION PAGE |
| 5 | BY: DAVID TORBORG, ESQ. | 5 | BY MR. WINOGRAD 18 |
| 6 | 51 Louisiana Avenue NW | 6 | BY MR. MAIMAN 139 |
| 7 | Washington, DC 20001 | 7 | BY MR. SATTERLEY 214 |
| 8 | PHONE: 202-879-3939 | 8 | BY MS. RICHENDERFER 263 |
| 9 | | 9 | BY MR. PLACITELLA 279 |
| 10 | FOR MESOTHELIOMA CREDITORS: | 10 | BY MR. THOMPSON 296 |
| 11 | KAZAN, MCCLAIN, SATTERLEY & GREENWOOD | 11 | |
| 12 | BY: JOSEPH SATTERLEY, ESQ. | 12 | INDEXED PAGES |
| 13 | BY: STEVEN KAZAN, ESQ. (Remotely) | 13 | PAGE |
| 14 | 55 Harrison Street, Suite 400 | 14 | JAMES MURDICA, sworn 18 |
| 15 | Oakland, California 95607 | 15 | REPORTER CERTIFICATE 306 |
| 16 | PHONE: 510-302-1000 | 16 | INSTRUCTIONS TO WITNESS 307 |
| 17 | | 17 | DECLARATION UNDER PENALTY OF PERJURY 308 |
| 18 | REMOTELY ON BEHALF OF VARIOUS TALK | 18 | ERRATA SHEET 309 |
| 19 | CLAIMANTS: | 19 | |
| 20 | LEVIN PAPANTONIO RAFFERTY | 20 | INFORMATION REQUESTED |
| 21 | BY: CHRIS TISI, ESQ. | 21 | None |
| 22 | 316 South Baylen Street | 22 | |
| 23 | Pensacola, Florida 32502 | 23 | |
| 24 | PHONE: 850-435-7000 | 24 | |
| 25 | | 25 | |

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|---------|--|---------|--------------------------------------|
| 1 | A P P E A R A N C E S | 1 | INDEX TO EXHIBITS |
| 2 | | 2 | WITNESS: JAMES MURDICA |
| 3 | APPEARING REMOTELY ON BEHALF OF TORT | 3 | Sunday, April 16, 2023 |
| 4 | CLAIMANTS AND THE STATE OF NEW MEXICO: | 4 | MARKED DESCRIPTION PAGE |
| 5 | NACHAWATI LAW GROUP | 5 | Exhibit 1 Voluntary Petition for |
| 6 | BY: MAJED NACHAWATI, ESQ. | 6 | Non-Individuals Filing for |
| 7 | 5489 Blair Road | 7 | Bankruptcy 31 |
| 8 | Dallas, Texas 75231 | 8 | Exhibit 2 Voluntary Petition for |
| 9 | PHONE: 866-705-7584 | 9 | Non-Individuals Filing for |
| 10 | | 10 | Bankruptcy 33 |
| 11 | A L S O P R E S E N T | 11 | Exhibit 3 Term Sheet 64 |
| 12 | | 12 | Exhibit 4 Plan Support Agreement 88 |
| 13 | COREY STERN | 13 | Exhibit 5 Plan Support Agreement 91 |
| 14 | CAROL SLOCUM | 14 | Exhibit 6 Reuters article 180 |
| 15 | MIKE BERKIN | 15 | Exhibit 7 Testimony transcript dated |
| 16 | MORTON BRANZBURG | 16 | April 11, 2023 199 |
| 17 | KENNETH ROSEN | 17 | |
| 18 | JUAN TORRES, Zoom operator | 18 | ** All exhibits were attached to the |
| 19 | LARRY MOSKOWITZ, videographer | 19 | original transcript ** |
| 20 | | 20 | |
| 21 | | 21 | --o0o-- |
| 22 | --o0o-- | 22 | |
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| 25 | | 25 | |

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1 *****
2 PROCEEDINGS
3 April 16, 2023, 1:26 p.m.
4 New York, New York
5 *****
6 THE VIDEOGRAPHER: Good
7 afternoon. We are on the record.
8 My name is Larry Moskowitz, and
9 I'm a videographer retained by Lexitas.
10 Today's date is April 16, 2023,
11 and the time is 1:27 p.m.
12 This deposition is being held at
13 Skadden Arps, One Manhattan West,
14 New York, New York, in the matter of
15 LTL Management LLC Bankruptcy.
16 The deponent is Jim Murdica.
17 All counsel appearances will be
18 noted on the stenographic record.
19 The court reporter is Jessie
20 Waack, and she will now swear in the
21 witness.
22 ///
23 ///
24 ///
25 ///

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1 *****
2 JAMES MURDICA, sworn
3 on oath and/or affirmed, called as a
4 witness herein, was examined and testified
5 as follows:
6 *****
7 EXAMINATION
8 BY MR. WINOGRAD:
9 Q. Good afternoon, Mr. Murdica.
10 **A. Good afternoon.**
11 Q. My name is Mike Winograd from
12 Brown Rudnick. We are proposed counsel to
13 the official committee in the new
14 bankruptcy.
15 Can you just state your name for
16 the record, please.
17 **A. Jim Murdica.**
18 Q. And have you been deposed before?
19 **A. I have.**
20 Q. I just want to go through, about
21 how many times?
22 **A. Once.**
23 Q. And in what case was that?
24 **A. It involved a discovery dispute.**
25 Q. What was the case?

Page 19

1 **A. I don't remember.**
2 Q. I just want to go through a few
3 ground rules.
4 You're testifying under oath? Do
5 you realize that?
6 **A. Yes.**
7 Q. Please give verbal answers, no
8 nods. If you don't understand a question,
9 please ask me. I'll ask. I want to make
10 sure we are clear about the questions.
11 If you need a break, please let
12 me know.
13 Is there any reason -- are you
14 okay with all those?
15 **A. Yes.**
16 Q. And is there any reason that you
17 can't give complete and truthful testimony
18 today?
19 **A. No.**
20 Q. What did you do for -- to prepare
21 for today's deposition?
22 MS. BROWN: I'll just caution
23 you, Jim, obviously don't reveal any
24 conversations with counsel.
25 **THE WITNESS: I spoke with**

Page 20

1 **Ms. Brown for about an hour. And I got**
2 **down here, had a smoothie, and now I'm**
3 **sitting in front of you.**
4 BY MR. WINOGRAD:
5 Q. When did you speak with
6 Ms. Brown, without going into the
7 substance?
8 **A. Just now.**
9 Q. Today?
10 **A. Yeah.**
11 Q. And are you aware that there were
12 other depositions in this case that have
13 taken place already?
14 **A. I am.**
15 Q. And did you listen to any of
16 those?
17 **A. I did.**
18 Q. Which ones?
19 **A. All of them.**
20 Q. So you listened to Mr. Haas?
21 **A. I did.**
22 Q. And Mr. Kim?
23 **A. Yes.**
24 Q. Mr. Pulaski?
25 **A. Yes.**

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1 **A. Not intentionally.**

2 MS. BROWN: Objection. Vague.

3 BY MR. SATTERLEY:

4 Q. But regardless, other than the
5 Zoom meetings where you got some oral
6 feedback, there's not any written changes
7 to the term sheet that we can look at to
8 see any sort of negotiations, right?

9 **A. Well, you can ask Mr. Watts**
10 **tomorrow what he remembers asking me to**
11 **change.**

12 Q. I understand I can do that. I
13 probably will do that.

14 But my question to you is, are
15 you aware of any --

16 **A. I already answered it.**

17 Q. Okay. You're not aware of any
18 written changes --

19 **A. Not --**

20 Q. -- right? Okay --

21 **A. I'm not.**

22 Q. -- super.

23 Now, let me just ask you on
24 December the 28th of 2022, the debtor filed
25 a motion asking for several folks' funding

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1 agreements, litigation funding agreements.

2 You're familiar with that,
3 correct?

4 **A. Yes.**

5 Q. Did you, with any of these
6 attorneys that have signed the -- a PSA,
7 did you at any point in time ask for them
8 to provide you litigation funding
9 information?

10 **A. Other than the motion that you're**
11 **referring to, no.**

12 Q. And the motion that was filed way
13 back in December had -- and specifically
14 had in that motion that Mr. Onder had 9,640
15 claims and Fears Nachawati had 3500 claims,
16 at any point in time, did you ask
17 Mr. Fond -- Onder or the Fears Nachawati
18 firm anything about their litigation
19 funding?

20 **A. I didn't need to, because as**
21 **you've seen, their clients are in support.**
22 **The concern that I had personally was that**
23 **I believed that the Beasley firm is not**
24 **able to say yes to any deal, because**
25 **they're way too deep in debt from funding.**

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1 **I don't have that concern with**
2 **Mr. Onder or Mr. Nachawati, which is why**
3 **they're in support of the plan. Clearly**
4 **they don't have that problem.**

5 Q. Have you and Mr. Onder talked
6 about Fortress Financial lending?

7 **A. I know that Fortress is a company**
8 **that has interest in talc litigation. Who**
9 **they're behind, I don't know. And you**
10 **should ask the members of your committee.**

11 MR. SATTERLEY: Move to strike.

12 BY MR. SATTERLEY:

13 Q. First of all, Mr. Onder is not a
14 member of the committee, so let me just --

15 **A. I'm talking about the members of**
16 **your committee that have funding --**

17 Q. Counsel --
18 (Simultaneous unreportable
19 crosstalk occurs among parties.)
20 (Stenographer requests one
21 speaker at a time.)

22 MR. MAIMAN: He's got his
23 speeches that he wants to give.

24 BY MR. SATTERLEY:

25 Q. Mr. Murdica, my question was, did

Page 236

1 you and Mr. Onder talk about Fortress
2 Financial's role in funding his cases?

3 **A. No.**

4 Q. Did you, before you put in Archer
5 as the -- as the lien resolution and
6 administrator of this -- on this term
7 sheet, did you research Archer's role with
8 Fortress Financial?

9 MS. BROWN: Objection. Don't
10 answer.

11 MR. SATTERLEY: Don't answer
12 under what basis?

13 MS. BROWN: Under the basis that
14 it would implicate his work as a
15 litigation attorney in this case.

16 BY MR. SATTERLEY:

17 Q. Do you know Fortress Financial's
18 relationship to Archer?

19 **A. I do.**

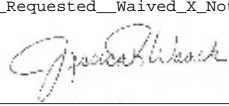
20 Q. And what is that relationship?

21 **A. That's -- I don't think that's**
22 **relevant to this or mine to tell. Archer**
23 **is in there as a placeholder for a lien**
24 **resolution company, because they do a good**
25 **job.**

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1 MR. MAIMAN: We disagree and I
2 would just note that in the -- as
3 expressed by the U.S. Trustee, there
4 were no harassing questions. We
5 understand --
6 (Simultaneous unreportable
7 crosstalk occurs among parties.)
8 MR. THOMPSON: Just I don't know
9 if this got noted. But I join on
10 behalf of Maune Raichle all the
11 statements made Mr. Maiman and
12 Mr. Satterley and by Mr. Winograd.
13 MS. BROWN: Okay. We're off the
14 record.
15 THE VIDEOGRAPHER: We are going
16 off the record.
17 The time is 6:32 p.m.
18 (Time noted: 6:32 p.m.)
19
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1 REPORTER CERTIFICATE
2 I, the undersigned, do hereby certify:
3 That JAMES MURDICA was by me duly sworn
4 in the within-entitled cause; that said
5 deposition was taken at the time and place
6 herein named; and that the deposition is a
7 true record of the witness's testimony as
8 reported by me, a disinterested person, and
9 was thereafter transcribed.
10 I further certify that I am not
11 interested in the outcome of the said
12 action, nor connected with, nor related to
13 any of the parties in said action, nor to
14 their respective counsel.
15 IN WITNESS WHEREOF, I have hereunto set
16 my hand this 17th day of April, 2023.
17 Signature: Requested Waived X Not Requested
18 
19
20
21 JESSICA R. WAACK
22 Registered Diplomate Reporter
23 Certified Realtime Reporter
24 California Certified Realtime Reporter
25 New York Realtime Court Reporter
New York Association Court Reporter
Notary Public, State of New York
CCR-NJ (No. 30XI008238700) CSR-TX (No. 11958)
CCR-WA (No. 21007264), CSR-CA (No. 14420)

Page 307

1 INSTRUCTIONS TO WITNESS
2
3 Please read your deposition over
4 carefully and make any necessary
5 corrections. You should state the reason
6 in the appropriate space on the errata
7 sheet for any corrections that are made.
8 After doing so, please sign the
9 errata sheet and date it.
10 You are signing same subject to
11 the changes you have noted on the errata
12 sheet, which will be attached to your
13 deposition.
14 It is imperative that you return
15 the original errata sheet to the deposing
16 attorney within thirty (30) days of
17 receipt of the deposition transcript by
18 you. If you fail to do so, the deposition
19 transcript may be deemed to be accurate
20 and may be used in court.
21
22
23
24
25

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1 DECLARATION UNDER PENALTY OF PERJURY
2 IN RE LTL BANKRUPTCY
3 Date of Deposition: April 16, 2023
4
5
6 I, JAMES MURDICA, hereby certify
7 under penalty of perjury under the laws of
8 the State of _____ that the
9 foregoing is true and correct.
10
11 Executed this ____ day of _____, 2023,
12 at _____.
13
14
15 _____
16 JAMES MURDICA
17
18 SUBSCRIBED AND SWORN BEFORE ME
19 THIS ____ DAY OF _____, 20
20 _____
21 NOTARY PUBLIC
22 MY COMMISSION EXPIRES: _____
23
24
25